



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2792

Introduced 1/20/2006, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-326 new

Amends Department of State Police Law of the Civil Administrative Code of Illinois. Provides that a unit of local government may request the Department of State Police to conduct a fingerprint-based criminal history records check to determine if an applicant for employment with the unit of local government has been convicted of any offense that would disqualify the applicant for employment with the unit of local government. Provides that the information obtained from the background check is confidential. Provides that any person who releases any confidential information concerning any criminal convictions of an applicant for employment shall be guilty of a Class A misdemeanor, unless the release of such information is authorized by law.

LRB094 18763 RLC 54146 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning criminal history records checks.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-326 as follows:

7 (20 ILCS 2605/2605-326 new)

8 Sec. 2605-326. Criminal history records check.

9 (a) The Department of State Police may, upon request of a
10 unit of local government, conduct a fingerprint-based criminal
11 history records check to determine if an applicant for
12 employment with the unit of local government has been convicted
13 of any offense that would disqualify the applicant for
14 employment with the unit of local government. Authorization for
15 the check shall be furnished by the applicant to the unit of
16 local government. Upon receipt of this authorization, the unit
17 of local government shall submit the applicant's name, sex,
18 race, date of birth, social security number, fingerprint
19 images, and other identifiers, as prescribed by the Department
20 of State Police, to the Department of State Police. The
21 Department of State Police and the Federal Bureau of
22 Investigation shall furnish, pursuant to a fingerprint-based
23 criminal history records check, records of convictions, until
24 expunged, to the chief executive officer of the unit of local
25 government that requested the check. The Department of State
26 Police shall charge the unit of local government a fee for
27 conducting such check, which fee shall be deposited into the
28 State Police Services Fund and shall not exceed the cost of the
29 inquiry; and the applicant shall not be charged a fee for such
30 check by the unit of local government.

31 (b) Any information concerning the record of convictions
32 obtained by the chief executive officer of the unit of local

1 government shall be confidential. A copy of the record of
2 convictions obtained from the Department of State Police shall
3 be provided to the applicant for employment.

4 (c) Any person who releases any confidential information
5 concerning any criminal convictions of an applicant for
6 employment shall be guilty of a Class A misdemeanor, unless the
7 release of such information is authorized by law.